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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,139	10/14/2004	Jun Fujita	121510	1973
25944 7590 03/15/2007 OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER MAYES, MELVIN C	
			ART UNIT 1734	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/15/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/511,139

Applicant(s)

FUJITA, JUN

Examiner

Melvin Curtis Mayes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 8-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12/29/06.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

***Continued Examination Under 37 CFR 1.114***

(1)

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 29, 2006 has been entered.

***Claim Rejections - 35 USC § 103***

(2)

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

(3)

Claims 8-19 are rejected under 35 U.S.C. 103(a) as obvious over Bonzo 4,557,773 in view of Gipson 4,646,914 and 3M Technical Data Sheets for "Scotch" transparent polyester tape No 9390 and No. 9391.

Bonzo discloses a method of fabricating a honeycomb structure comprising: providing an extruded ceramic honeycomb structure; securing a solid covering film to the end face of the honeycomb; forming openings in the film by sources such as laser or intense light; plugging cells in the honeycomb with ceramic cement; and firing the structure and cement. The solid covering film can be masking tape such as one mil thick (0.025 mm, 25  $\mu$ m) polyester film such as Scotch Brand Magic Transparent Tape (col. 7, line 3 – col. 11, line 22).

Gipson teaches that Scotch Brand tape having polyester film tape has an acrylic adhesive (col. 2, lines 51-53).

3M Technical Data Sheet for “Scotch” transparent polyester tape No 9390 teaches that a tape of 0.025 mm thick transparent polyester film has acrylic adhesive of thickness of 0.025 mm and JIS adhesive force of 3.92 N/cm (approximately 10 N/25 mm).

3M Technical Data Sheet for “Scotch” transparent polyester tape No 9391 teaches that a tape of 0.016 mm thick transparent polyester film has acrylic adhesive of thickness of 0.006 mm and JIS adhesive force of 2.15 N/cm (approximately 5 N/25 mm).

By providing the masking tape as Scotch Brand tape with polyester film (backing), the tape is provided with an acrylic adhesive because Scotch Brand transparent tapes with transparent polyester film use acrylic polymer for the adhesive, as taught by Gipson and 3M Technical Data Sheets for “Scotch” transparent polyester tapes.

By providing the Scotch Brand transparent tape of 0.025 mm thick polyester film and acrylic adhesive, the tape provided obviously has an adhesive force (as measured in accordance with JIS Z0237) of about 5 or 10 N/25 mm, as 3M Technical Data Sheet for “Scotch” transparent polyester tape No 9390 and 9390 teaches that a tape of total thickness of 0.022 (No. 9391) has a JIS adhesive force of approximately 5 N/25 mm while a tape with 0.025 mm thick polyester film with acrylic adhesive has a JIS adhesive force of approximately 10 N/25 mm. While it is not clear whether “one mil thick (0.001 inch or 0.025 mm) polyester film” in Bonzo refers to the total thickness of the tape or only to the thickness of the polyester film of the tape, in either case, the JIS adhesive force of the tape is within the claimed ranges of 3-15 N/25 mm, 10-15 N/25 mm and 5-11 N/25 mm, as taught by 3M Technical Data Sheets for tape of total thickness of 0.022

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mm and tape of polyester film thickness of 0.025 mm. By providing either the tape of total thickness of 0.025 mm (25  $\mu\text{m}$  with acrylic adhesive thickness of about 6  $\mu\text{m}$ ) or the polyester film of thickness of 0.025 mm (25  $\mu\text{m}$  with acrylic adhesive thickness of about 25  $\mu\text{m}$ ) as taught by 3M Technical Data Sheets, the total thickness is within the range of 10-70  $\mu\text{m}$ , the thickness of the substrate is within in the range of 5-40  $\mu\text{m}$  and the thickness of the acrylic adhesive is within the range of 5-40  $\mu\text{m}$ , as claimed in Claims 10-13.

### *Response to Arguments*

(4)

Applicant argues that Bonzo does not disclose or suggest the features listed in Table 1 of the present application; however, the claims are not limited to the listed examples but to a range of adhesive force of 3-15 N/25 mm. The Table does not provide examples for the entire range of adhesive force of 3-15 N/25 mm but only for 8.58-14.17 N/25 mm. The example outside the range has a total thickness of 80  $\mu\text{m}$  and substrate thickness of 50  $\mu\text{m}$ , which is clearly not a thickness of tape or polyester substrate even remotely suggested by the thickness disclosed by Bonzo. There is a logical connection between the disclosure of Bonzo and references referring to Scotch transparent tapes having polyester film as the backing for the adhesive, as it is known that acrylic adhesive is used for such tapes. The thickness disclosed by Bonzo can only refer to two thicknesses, either that of the polyester substrate of the tape or the total thickness of the tape. In either instance, the JIS adhesive force of such a tape with acrylic adhesive is obviously within the range as claimed, as taught by 3M Technical Data Sheets for such tapes. While there are other types of Scotch tapes with other substrate materials and adhesives, the tape suggested by

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Bonzo is Scotch transparent tape having polyester substrate. Even other Scotch transparent tapes with acrylic adhesive have adhesive force in the claimed broad range of 3-15 N/25 mm.

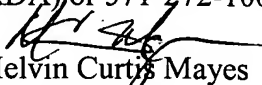
***Conclusion***

(5)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin Curtis Mayes whose telephone number is 571-272-1234. The examiner can normally be reached on Mon-Fri 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached on 571-272-1187. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Melvin Curtis Mayes  
Primary Examiner  
Art Unit 1734

MCM  
March 13, 2007